



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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July 1, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in dark ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

SACRAMENTO UPDATE

This memorandum includes a status update on a County-sponsored bill related to stormwater fees; and status updates on nine County-advocacy climate change bills related to: 1) conversion technologies; 2) annexations; 3) water consumption; 4) single-use carryout bags; 5) consumer product labeling; 6) pollution control devices; 7) Senate Local Government Omnibus bill; 8) extended producer responsibility; and 9) recycled water.

Status of County-Sponsored Legislation

County-sponsored AB 2554 (Brownley), which would authorize the Los Angeles County Flood Control District to implement stormwater fees in the unincorporated areas of the County, in compliance with Proposition 218, to fund clean water programs, passed the Senate Local Government Committee on June 30, 2010 by a vote of 3 to 2, and now proceeds to the Senate Floor.

Status of County-Advocacy Legislation

County-supported AB 222 (Adams and Ma), which would promote the development of conversion technologies in the State and authorize jurisdictions to receive solid waste diversion credit or renewable energy credit towards meeting the State's mandated solid waste diversion requirements if the jurisdiction makes a specified certification, passed

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the Senate Environmental Quality Committee on June 29, 2010, as amended, by a vote of 5 to 2, and now proceeds to Senate Appropriations Committee.

The June 28, 2010 amendments delete the diversion and renewable energy credit from the bill and instead include language to remove local barriers to conversion technology permitting. The primary basis for County support of AB 222 was because it would have allowed for diversion or renewable energy credit to help the County meet the State-mandated solid waste diversion requirements in order to avoid penalties of up to \$10,000 per day for failure to comply. **Because the bill no longer includes diversion or renewable credits, the Sacramento advocates will drop support for AB 222 and take no position.**

County-opposed AB 853 (Arambula), which would eliminate local control over the annexation process for unincorporated fringe/island communities by requiring a board of supervisors to petition the Local Agency Formation Commission to approve the annexation of these communities if specified conditions are met, passed the Senate Local Government Committee on June 30, 2010, with technical amendments, by a vote of 3 to 2, and was referred back to the Senate Desk.

County-support and Amend AB 1975 (Fong), which would require that architectural plans for individual dwelling units in certain multiunit structures, for which a building permit application is submitted on or after January 1, 2013 include, as a condition for the issuance of the building permit, the installation of either a water meter or a submeter at the discretion of the water purveyor to measure water supplied to each individual dwelling unit, passed the Senate Natural Resources and Water Committee on June 29, 2010 by a vote of 6 to 3, and was referred back to the Senate Desk.

AB 1975 was amended the day before the Committee hearing on June 28, 2010. The new amendments: 1) make the bill contingent upon adoption by the California Building Standards Commission of specified building standards; 2) prohibit the owner of the structure, or an association managing the structure, from assessing or collecting fees related to the water meters and submeters, from the occupants of the structure; and 3) require the State Department of Housing and Community Development (HCD) to convene a task force to develop recommendations for legislation to establish standards and procedures governing the practice of assessing and charging occupants of multiunit structures for water usage by building owners and homeowners' associations for water metering requirements imposed by the bill.

The amendments also requires HCD to report the final recommendations to the Legislature by December 31, 2011, and would declare legislative intent to subsequently enact comprehensive legislation relating to assessment and collection by owners and

association of charges and fees associated with water meters and submeters. The Department of Public Works (DPW) recommended that AB 1975 be amended to clarify that the water purveyor is prohibited from collecting fees only for the additional submeters installed on the property. **Because the June 28, 2010 amendments address DPW's concern, the Sacramento advocates will now support AB 1975.**

County-supported AB 1998 (Brownley), which would ban stores from providing single-use carryout bags to customers effective January 1, 2012, and require stores to make reusable bags available for purchase, passed the Senate Environmental Quality Committee on June 28, 2010, with technical amendments, by a vote of 5 to 2, and now proceeds to the Senate Appropriations Committee.

County-supported AB 2256 (Huffman), which would prohibit a person, on or after January 1, 2012, engaged in the packaging or labeling of a consumer product from distributing in commerce in California a product that is contained in a package, or that has an affixed label that states the product is flushable, sewer and septic safe, or other like terms or phrases unless the product meets the acceptance criteria as published in the Guidance Document for Assessing the Flushability of Nonwoven Products, passed the Senate Business, Professions, and Economic Development Committee on June 28, 2010 by a vote of 5 to 2, and now proceeds to the Senate Environmental Quality Committee.

County-supported SB 435 (Pavley), which would: 1) make it a crime for a person to park, use, or operate a motorcycle registered in the State that does not have the federally required label affixed onto the motorcycle or exhaust emission system indicating that the motorcycle or exhaust emission system meets the noise emissions standards; and 2) make a violation of the Federal label requirement punishable by a fine of not less than \$50 or more than \$100 for a first conviction, and not less than \$100 or more than \$250 for a second or subsequent conviction, passed the Assembly Transportation Committee on June 28, 2010, with technical amendments, by a vote of 8 to 4, and now proceeds to the Assembly Appropriations Committee.

County-supported SB 894 (Senate Local Government), which is the Senate Local Government omnibus bill that contains four County-sponsored provisions, passed the Assembly Local Government Committee on June 30, 2010 on consent, and now proceeds to the Assembly Appropriations Committee.

The County-sponsored provisions in SB 894 would: 1) raise the limit on change orders for public works contracts that county supervisors delegate to county officials from \$150,000 to \$210,000; 2) authorize a county board of supervisors to delegate authority to approve change orders on county bridge and subway construction contracts to

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county officers; 3) authorize a county board of supervisors, acting as a county waterworks district's governing board, to delegate to the district manager or other district official the authority to approve change orders on construction contracts; and 4) allow the Los Angeles County Board of Supervisors to delegate to the Los Angeles County Flood Control District's chief engineer or other District officer the authority to approve change orders on construction contracts.

County-supported SB 1100 (Corbett), which would require producers of household batteries to institute a stewardship program to manage used household batteries by September 30, 2011, and establish collection rates for household batteries of 25 percent by January 1, 2014, and 45 percent by January 1, 2016, with an overall program target of 95 percent, passed the Assembly Environmental Safety and Toxic Materials Committee on June 29, 2010 by a vote of 6 to 3, and now proceeds to the Assembly Appropriations Committee.

County-support if amended SB 1173 (Wolk), which would: 1) declare that the use of all "raw or potable water" for nonpotable municipal or industrial uses is a waste or unreasonable use of water if recycled water is available and reliable that meets specific conditions; 2) prohibit a person or public agency from using raw or potable water that is suitable for nonpotable municipal or industrial uses if suitable recycled water is available that meets specific conditions; and 3) declare that the use of raw or potable water for the irrigation of landscaping, floor trap priming, cooling towers, and air-conditioning devices is a waste and unreasonable use of water if recycled water is available and reliable that meets specific conditions, passed the Assembly Environmental Safety and Toxic Materials Committee on June 29, 2010 by a vote of 6 to 3, and now proceeds to the Assembly Appropriations Committee.

We will continue to keep you advised.

WTF:RA
EW:sb

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants